

**CITY OF SEATTLE**  
**DETERMINATION OF NON-SIGNIFICANCE BY**  
**THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Applicant Name :** Department of Design, Construction and Land Use

**Address of Proposal:** Areas adjacent to the East Madison Business District, including zoning designations bounded by approximately 19th and 23rd Avenues East to the east and west and East John and East Pike Streets to the north and south.

**SUMMARY OF PROPOSED ACTION**

The proposed land use actions are based on an examination of existing land use and zoning, along with Central Area Action Plan strategies for the East Madison Business District, intended to implement the *Central Area Action Plan II*. The associated analysis provides an objective view of land use and zoning for an area along and surrounding East Madison Street and serves as the basis for DCLU's recommended actions.

The analysis examined the areas within each zoning designation to determine how well the area's characteristics matched the zone's functional and location criteria. General Rezone Criteria listed in Section 23.24.008 of the Seattle Municipal Code were used to evaluate potential changes. Based on this examination and the goals and vision of the Central Area Action Plan II, the applicant recommends the following changes:

- Lowering the allowed height of an area (Area 2) zoned NC3-85 along East Madison Street between 21st and 23rd Avenues East to 65 feet;
- Rezoning an area (Area 3) north of the NC3-85 along East Madison Street from Lowrise 3 to Lowrise 4;
- Rezoning a portion of the area zoned L3 (Area 4a) to NC2/R up to 65 feet;
- Rezoning a portion of the area zoned L3 (Area 4b) to NC2/R-40;
- Rezoning an area zoned L2 along 23rd Ave E (Area 10) to L3;
- Rezoning the area zoned L2 bounded by E Madison Street to the north, E Pine Street to the south, 19th Ave E to the west, and extending east a half-block west of 20th Ave E, (Area 8) to L3;
- Rezoning the area zoned SF 5000 (Area 9) south of Olive Street and north of East Pine Street to Residential Small Lot (RSL/TC); and
- Allowing Single Purpose Residential Structures outright in NC2/R zones within the study area.

The following approval is required:

SEPA - Environmental Conditions - Chapter 25.05, Seattle Municipal Code.

Legislative Decision – City Council Action, Type V (Chapter 23.76, Seattle Municipal Code).

**SEPA DETERMINATION:**      ☐ Exempt      ☒ DNS      ☐ MDNS      ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

## **BACKGROUND DATA**

### Site Description

Areas adjacent to the East Madison Business District, including zoning designations bounded by approximately 19th and 23rd Avenues East to the east and west and East John and East Pike Streets to the north and south.

### Development in the Vicinity

Development within the areas proposed for rezones covers a variety of uses and structures. The East Madison Business District and adjacent areas where land use actions are being considered include a variety of uses, including commercial, office, light industrial, human service, senior housing, mixed use buildings, and multifamily and single-family housing. The area contains a wide range and extensive number of structures, primarily low- to medium-density residential development, office and retail buildings, auto-oriented strip development, and some light industrial businesses.

### Proposal Description

Implement Central Area Action Plan II by making the following zoning changes (see Exhibit A – Rezone Map):

- Lowering the allowed height of an area (Area 2) zoned NC3-85 along East Madison Street between 21st and 23rd Avenues East to 65 feet;
- Rezoning an area (Area 3a) north of the NC3-85 along East Madison Street from Lowrise 3 to Lowrise 4;
- Rezoning a portion of the area zoned L3 (Area 4) between East Madison Street and East Denny Street from a portion of the west side of 20th Ave East to the west side of 21st Avenue East to NC2/R-40 to provide a better buffer between NC3 and the mix of single family and multifamily homes to the north;
- Rezoning an area zoned L2 along 23rd Ave E (Area 10) to L3;
- Rezoning an area zoned L2 bounded by E Madison Street to the north, E Pine Street to the south, 19th Ave E to the west, and extending east a half-block west of 20th Ave E (Area 8) to L3;

- Rezoning the area zoned SF 5000 (Area 9) south of Olive Street and north of East Pine Street to Residential Small Lot (RSL/TC); and
- Allowing Single Purpose Residential Structures outright in NC2/R zones in the study area.

### Public Comments

A public meeting took place on July 16, 2001, featuring an open house review of the proposals, formal presentations, and small group discussion of the recommendations. Generally, attendees supported the recommendations. Specific comments expressed at the meeting or in letters to DCLU following the meeting reflected the following:

- opposition to reduction in height limit from 85 feet to 65 feet in Area 2,
- support for reduction in height limit from 85 feet to 65 feet in Area 2,
- support for further increase in height limit on a set of parcels in Area 4a,
- support for further mapping of L4 north of Area 4,
- concern over mapping of RSL in Area 9 and mapping of L3 in Area 8 all the way to East Pine Street, and
- support for mapping of RSL in Area 9.

Copies of the Land Use and Zoning Analysis, Conclusions and Recommendations, and the proposed legislation currently are available for public review and comment. A public hearing on the proposed legislation will be scheduled before the Seattle City Council Landlord/Tenant and Land Use Committee in October 2001. Public testimony will be taken at the hearing, and comments can be submitted in writing until the hearing.

### **SEPA DETERMINATION**

The initial disclosure of the potential impacts from this action was made in the environmental checklist submitted by the applicant dated August 6, 2001. The information in the checklist, supplemental information provided by the applicant, and the experience of the lead agency with review of similar actions form the basis for this analysis and decision. Specifically, the Land Use & Zoning Analysis and Conclusions and Recommendation supplemented and provided elaboration on the environmental checklist information.

### Short-term Impacts

As a non-project action, the proposal will not have any short-term impact on the environment. Future development affected by this legislation and subject to SEPA will be required to address short-term impacts on the environment.

### Long-term Impacts

The proposal would modify permitted uses and development standards in the Madison-Miller neighborhood plan, within the Central Area Residential Urban Village. Ultimate impacts would only be realized through individual project actions. SEPA regulations will be applied on a project-by-project basis, and appropriate mitigation's required where necessary. However, project-level land use, housing, and public services and facilities impacts may change as a result of the proposed action, and are discussed further below.

### *Land Use*

The proposed rezone is intended to implement the goals and policies of the Central Area Action Plan II for the Madison-Miller neighborhood. The resulting land use changes are anticipated to help the revitalization and redevelopment of the East Madison Business District by increasing housing options near the business district and improving the transitions between commercial zones and adjacent residential zones. Redevelopment would conform with the new requirements, and would help to establish a new pattern of development. No uses will become nonconforming under this proposal, although one development currently in the permitting process will be a greater height than the proposed zoning will allow once constructed.

This proposal may impact existing land uses by allowing buildings that are at a scale slightly different than those on adjacent properties. Zoning or development regulation changes in the proposed rezones will not result in development that differs substantially from that allowed under the existing code. The rezones increase allowable density for residential and commercial uses on the rezone sites. Individual development projects that use the proposed legislation's zoning and development changes also will be subject to design review (if they meet or exceed thresholds for environmental review), which will help mitigate the impacts of height, bulk, and scale.

This proposal is consistent with the Urban Village strategy and Land Use Policies of the City's Comprehensive Plan, and with the adopted Neighborhood Plan (Central Area Action Plan II, amended into Seattle's Comprehensive Plan with Ordinance #119216, Nov. 12, 1998).

Land use impacts of particular developments within the study area shown on Exhibit A would be mitigated by application of Land Use Code standards during project review, as well as project-level SEPA review.

### *Housing*

This non-project action will increase housing capacity over currently existing zoning. The legislation is intended to encourage additional housing development near the East Madison Business District. The proposal has the potential to increase the capacity for housing through zoning changes and allowing Single Purpose Residential outright in NC2/R-zoned areas. The potential increase in housing capacity was evaluated by the Strategic Planning Office, based on the City's experience in regulating land use. Individual projects and development consistent with this proposal will occur over time and cannot be evaluated in terms of specific housing impacts or income-level at this stage.

An approximate net capacity increase of 92 to 141 housing units may be expected as a result of the recommended land use actions, depending on whether the ground floor of new development in the NC2/R zones are developed as commercial space or housing. However, the utilization of increased development capacity depends on market forces in the study area.

### *Transportation*

As indicated above, the proposed actions could result in a net housing capacity increase of 92 to 141 units. Virtually all of these additional units would be multifamily units. The Institute of Transportation Engineers (ITE) publishes a manual, Trip Generation, which provides estimates of trips for a variety of land uses. Based on these estimates, 141 multifamily residential units would generate approximately 986 daily auto trips, 74 trips in the AM peak hour, and 96 trips in the PM peak hour.

These trip estimates likely overestimate future traffic volumes for several reasons. Data from Trip Generation are derived from empirical studies typically conducted in suburban settings, which often results in overestimates of auto trips when applied to urban settings such as Seattle. The ITE Trip Generation Handbook (1998) states that “the data contained in Trip Generation are, by definition, from single-use developments where virtually all access is by private automobile and all parking is accommodated on site.” The East Madison Business District has considerably higher levels of transit service than most suburban areas, providing greater opportunities for non-auto travel. Additionally, the close proximity of the Seattle Central Business District and major employment centers on First Hill, as well as high parking charges at these locations, increase the likelihood that many job-related trips from East Madison residences will be by non-auto modes. The density of development in the East Madison vicinity may also encourage higher levels of non-auto use for shopping and other retail trips.

In addition to the decreased number of auto trips from residential sources, the net change in additional traffic volumes due to the proposed actions also will be somewhat less than estimated above due to some loss in commercial development capacity. A loss of between 5,000 and 20,000 square feet of commercial capacity could occur, depending on the particular development scenario. This reduction in capacity would reduce both daily and peak-hour traffic estimates, although the extent of the decrease cannot reasonably be estimated given the wide variety of potential commercial land uses that might be components of future development projects.

The AM and PM peak hour traffic volumes of 74 and 96 trips respectively, therefore, likely overstate the amount of auto traffic that the proposed actions could generate. Project-specific traffic impact analysis cannot be undertaken prior to a specific development proposal, but even these higher estimates would not be expected to significantly impact the East Madison transportation network. Future development projects will be distributed throughout the rezoned areas, and additional traffic volumes from any one location likely would be quite low. Analysis of the impacts of individual developments would be conducted on a project-by-project basis, through SEPA review as projects go through the Master Use Permit process.

### *Parking*

Parking spaces for specific projects would be provided for by Land Use Code requirements. Impacts would be regulated through the SEPA Parking Policies (25.05.675 M), and may require information on parking demand on a project-by-project basis, as well as parking utilization studies in the vicinity of a proposed project. Appropriate mitigation for any parking impacts would be developed as a part of individual project review.

The proposed rezones will not change required amounts of parking, and are expected to have no significant impact on parking supply and demand as it currently exists in the area.

### *Public Services and Facilities*

The proposed actions are not expected to appreciably increase demand for public services and facilities, although a slight increase in residentially based service demand may occur as a result of the increased opportunities for housing (described above). In general, providers of public services, including fire and police protection, health care, and schools, regularly review the effects of increased development and propose enhanced services as necessary as part of their planning for future service needs. Additionally, the City's Capitol Improvement Plan accounts for a level of growth as reflected in the City's Comprehensive Plan that is consistent with growth anticipated under the proposed legislation. To the extent additional demands are placed on public services and facilities in the area as specific projects are developed, these impacts will be evaluated through individual project review.

### Conclusion

The application of the Madison-Miller neighborhood plan rezones will have few or no adverse environmental impacts. The primary potential impacts are likely to be a small increase in nonconforming structures, a potential increase in spillover parking, and perhaps a slight increase in traffic volumes. No mitigation is necessary or warranted by the application of the City's adopted SEPA policies to the proposed rezones. Environmental impacts of specific development proposals will be evaluated during individual project review, and mitigation will be required where necessary to control project impacts.

### **DECISION – SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

**RECOMMENDED CONDITIONS – SEPA**

None.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

J. Clifford Portman, Land Use Planner  
Department of Design, Construction and Land Use